

08-16-04

Dep't Ref
Room No. 307

PATENT DIVISION

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER509328790US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8-13-04 Signature: *[Signature]*
(Patricia Lewis)

Docket No. 09-P02188US0
2004 AUG 18 PM 4:49 (PATENT)

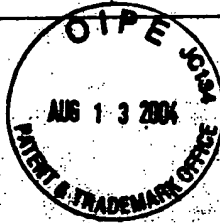
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Goran Forsberg et al.

Application No.: 09/900,766

Filed: July 6, 2001

For: NOVEL ENGINEERED SUPERANTIGEN FOR
HUMAN THERAPY



Art Unit: 1645

Examiner: P. A. Duffy

**SMALL ENTITY STATUS REQUEST UNDER 37 CFR § 1.27(c) AND
RULE 28 REQUEST FOR REFUND OF LARGE ENTITY FEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.28, applicants respectfully request a refund of Large Entity fees paid in the above-referenced case.

More specifically, pursuant to Rules 28 and 27(c), applicants are entitled to small entity status, and were so entitled at least as early as the latest payment in this matter, which was on June 2, 2004.

On June 2, 2004, applicants paid 1,750.00 in fees in the above-referenced matter (\$770.00 RCE fees and \$950 EOT fees). This amount was based on fees for a Large Entity.

Pursuant to Rule 28, applicants respectfully request a refund of \$860, which is the difference between the Large Entity fees paid on June 2, 2004, and the Small Entity fees that were due on June 2, 2004.

This Request Under Rule 28 is timely for being filed within three months of the payment of the above-discussed large entity fees.

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Application No.: 09/900,766

PATENT TRIAL EXAMINATION
DIVISION
Docket No.: HO-P02188US0

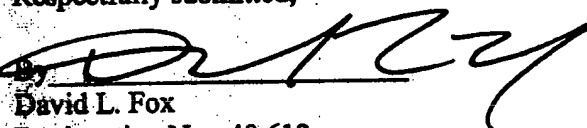
Applicants request that the Patent and Trademark Office kindly credit its account No. 06-2375, referencing P02188US0.

2004 AUG 18 PM 4:45

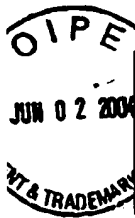
Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02188US0 from which the undersigned is authorized to draw.

Dated: 8-13-04

Respectfully submitted,


David L. Fox
Registration No.: 40,612
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5151
(713) 651-5246 (Fax)
Attorney for Applicant

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Dated: June 2, 2004

Signature: *Staci Harris*

(Staci Harris)

Docket No.: HO-P02188US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Goran Forsberg et al.

Application No.: 09/900,766

Group Art Unit: 1645

Filed: July 6, 2001

Examiner: P. A. Duffy

For: NOVEL ENGINEERED SUPERANTIGEN FOR
HUMAN THERAPY

REQUEST FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions for a three month extension of time to and including June 4, 2004 to respond to the Office Action mailed December 4, 2003. Our check in the amount of \$950.00 covering the fee set forth in 37 CFR 1.17(a)(3) is enclosed.

In the event that a further petition for an extension of time is required to be submitted at this time, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to ensure that the above-identified application does not become abandoned.

06/04/2004 MAHME1 00000059-09900766

02-FC:1253

-950.00 OP

Adjustment date: 09/20/2004 EEKUBAY1
06/04/2004 MAHME1 00000059 09900766
02 FC:1253

-950.00 OP

09/20/2004 EEKUBAY1 00000004 09900766

02 FC:2253

475.00 OP

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RepIn. Ref: 09/20/2004 EEKUBAY1 0010443800
Date: 06/23/04 Name/Number: 09900766
FC: 9204 \$860.00 CR



06-05-04

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PTO/SB/30 (09-03)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/900,766
Filing Date	July 6, 2001
First Named Inventor	Goran Forsberg
Art Unit	1645
Examiner Name	P. A. Duffy
Attorney Docket Number	HO-P02188US0

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1720.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Melissa W. Acosta	Registration No. (Attorney/Agent)	45,872
Signature		Date	June 2, 2004

Request for Continued Examination Transmittal

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Dated: June 2, 2004

Signature: (Staci Harris)

06/04/2004 MAHME1 00000059-09900766

01 FC:1801

-770.00 OP

Adjustment date: 09/20/2004 EEKUBAY1

06/04/2004 MAHME1 00000059-09900766

01 FC:1801

-770.00 OP

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09/20/2004 EEKUBAY1 00000004 09900766

01 FC:2801

385.00 OP